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May 1, 2025

BY ECF

Honorable Robyn F. Tarnofsky
United States District Court
Southern District of New York
Daniel Patrick Moynihan U.S. Courthouse
500 Pearl Street
New York, New York 10007

Re: Khodakhah v. Montefiore Health System, Inc.,
No. 1:24-cv-00839-LAK

Dear Judge Tarnofsky:

We write on behalf of Defendant Einstein College of Medicine and Plaintiff Kamran Khodakhah in furtherance of the Court's Order dated April 28, 2025 (ECF #70) that the parties inform the Court whether they believe that Court-facilitated discussions would be productive at this time.

In accordance with that Order, the parties have conferred and determined that they would like to accept the Court's offer to facilitate a mediation between Defendant Einstein and Plaintiff Khodakhah before a Magistrate Judge of the Southern District of New York, in an effort to resolve all the claims in the above-captioned action.¹ Given that Your Honor has reviewed the extensive briefing in connection with Defendants' Motions to Dismiss (ECF # 53, 54, 55, 56, 57, 58, 59, 60, 63, 64) and recently conducted oral argument, the parties request that the mediation be assigned to a different S.D.N.Y Magistrate Judge.

¹ Since any resolution of this case would necessarily involve a release for all the defendants, including Dean Tomaselli and the other individual defendants, we do not believe that Mr. Tomaselli's lawyers need to be involved in a future mediation, at least at the outset.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Roberta A. Kaplan', with a stylized, flowing script.

Roberta A. Kaplan

cc: Counsel for All Parties